

Protect Our Children from Internet Obscenity!

Dear Colleague:

- **92% percent of Americans support blocking obscenity on school computers.** (NY Times 10/18/2000)
- **Last year, 1 in 4 U.S. kids aged 10-17 had unwanted exposure to online sexual photos** (Newsweek 3/12/01)
- **There are 300,000 obscene Internet web sites, and an average of 200 new child pornography sites appear each month** (search conducted by software filtering company N2H2)
- **12- to 17-year olds are among the larger consumers of porn.** (U.S. Commission on Pornography).
- **Transporting obscenity on the Internet is a federal crime.** (Punishable by a fine of up to \$250,000 and up to 5 years in prison for the first offense and a fine and up to 10 years in prison for the second offense **18 USC 1462**)

As a principle author of the bipartisan Children's Internet Protection Act (CIPA), signed into law in December, I urge you to support the Justice Department in defending the CIPA from court challenges by both the American Civil Liberties Union and by the American Library Association.

We provide almost \$3 billion in federal funds annually to provide computer and Internet access for schools and libraries. America's schools in particular have been very diligent in using filtering technology to safeguard their students as they use this equipment. And large numbers of public libraries have also take the initiative to install filters as well. However, some insist they must be permitted to provide Internet access to children (no matter how young) with no safeguards whatsoever—AND that we must provide them the money to pay for it.

They treat it as "someone else's problem," and falsely label it "censorship" if they're not permitted to expose our children to the very worst things on the Internet, using federal tax dollars to do so.

Because I served for several years as a member, and a Chairman, of a major metropolitan library board, I know that no library expects—or desires—to offer anything and everything to its patrons. They all adopt selection policies to manage both the size and the appropriateness of their collections. Free speech and diversity of material do not require them to include obscene images, nor instructions on how to make a bomb. As a lifetime supporter of free public libraries, I support libraries' mission to provide broadly diverse material, and to handle it appropriately.

The CIPA does not dictate what any school or library must do, not even those who insist on an "anything goes" policy. But it DOES direct that they will not receive federal funding if that is their policy.

Other Internet legislation was overturned by the courts, because Congress:

- Had tried to restrict what can be posted on the Internet,
- Had gone beyond protecting children and had imposed restrictions on adults, or
- Had restricted material that was not "obscene" even if it was pornographic ("Obscenity," the courts say, is NOT protected by the First Amendment.

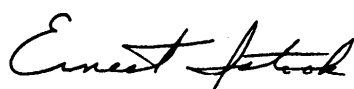
And rulings permit additional and special protections for minors.)

CIPA was designed to avoid the pitfalls of other legislation, yet protect our children as fully as possible. CIPA focuses ONLY on how federal tax dollars can be spent, and ONLY on access by children. Adult access is not restricted. (CIPA even has provisions to permit bypassing a filter that erroneously blocks access to a non-obscene site.)

Nevertheless, because public opinion so overwhelmingly supports this legislation, an effort is underway to disinform and to discredit this approach. Even normally-responsible publications publish false and misleading reports to suggest that today's sophisticated filtering software is poor, or that old and simplistic discount is the same as the latest generation (which schools and libraries have painstakingly developed and refined).

CIPA attracted terrific bipartisan support because it was narrowly focused on federal funding, on children, and on material which the courts have already declared goes beyond the bounds of the First Amendment. Therefore, I hope you will speak out when these lawsuits begin to attract public attention.

Sincerely,



Ernest J. Istook, Jr.
Member of Congress